

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5224

AN ORDINANCE determining the public advantage in vacating portions of SE 7th Street, 94th Avenue SE and 96th Avenue SE in the City of Bellevue, Washington and vacating the same subject to certain conditions, determining the public advantage in vacating portions of SE 7th Street, 94th Avenue SE and 96th Avenue SE in the City of Bellevue, Washington and vacating the same subject to certain conditions.

WHEREAS, the City Council did on May 16, 2000, pass Resolution No. 6417 fixing the time and place for a hearing to consider the vacation of portions of SE 7th Street, 94th Avenue SE and 96th Avenue SE within the City of Bellevue, Washington and gave notice of said hearing by posting and mailing in the manner required by law; and

WHEREAS, investigation was made as to the use of said streets and the public interests served or damaged by the change in such use by the vacation thereof, and

WHEREAS, a hearing was held upon the said petition on the 15th day of May, 2000 at the time and place fixed in said resolution and notice, and

WHEREAS, following said hearing the City Council, by motion found that the vacation of all or a portion of said streets to the extent described in the petition therefore would serve the public good, and directed staff to bring back an ordinance vacating such street or portion thereof; and

WHEREAS, said vacation also will be subject to the reservation of necessary public utility, ingress and egress easements and subject also to payment of compensation by the respective abutting property owners in accordance with Section 14.35.130 of the Bellevue City Code; and

WHEREAS, upon payment of compensation by the respective abutting property owners in accordance with Section 14.35.130 of the Bellevue City Code and fulfillment of all other conditions established herein for such vacation, such street or portions thereof shall be vacated and the City Clerk is directed to have this ordinance recorded with the King County Office of Elections and Records and to take any other action necessary to vacate such streets or portions thereof; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES
ORDAIN AS FOLLOWS:

Section 1. The following portions of SE 7th Street, 96th Avenue SE and 94th Avenue SE are hereby vacated subject to the fulfillment of all conditions set forth in Section 2 of this ordinance:

SE 7th Street

The north half (the north forty (40) feet) of SE 7th St. lying between a line twenty-three (23) feet west of an parallel to the centerline of 96th Ave. SE and the centerline of 94th Ave. SE.

96th Avenue SE

The west seven (7) feet of 96th Ave. SE lying between the easterly extension of the north line of SE 7th St. and a line sixty-three (63) feet North of and parallel to said easterly extension of the north line of SE 7th St.

94th Ave. SE

The east half (the east forty (40) feet) of 94th Ave. SE lying between the westerly extension of the north line of SE 7th St. and a line one hundred forty-nine (149) feet north of and parallel to said westerly extension of the north line of SE 7th St.

PROVIDED, however, that the City of Bellevue reserves and establishes a 15 foot water easement and a 7.5 foot sewer easement, and further

PROVIDED, that the applicants provide recorded documents for the water and sewer easements and ingress and egress easements for neighboring properties as necessary.

Section 2. The City Clerk is directed to record a certified copy of this ordinance with the with the King County Department of Records and Elections and the City Manager or her designee is directed to take any other action necessary to vacate such street or portion thereof upon evidence of satisfactory completion of all conditions of such vacation including but not limited to reservation of necessary public utility, ingress and egress easements, payment of compensation to the extent and in the amount required by Section 14.35.130 of the Bellevue City Code or comparable compensation acceptable to the City and payment of all costs of acquisition services needed to convey title including the costs of final survey, appraisals, recording fees, escrow, title insurance, processing fees and any other costs related to the purchase of the property, except as otherwise agreed by the parties.

Section 3. This Ordinance shall take effect and be in force five days after passage and legal publication.

Passed by the City Council this 15th day of May, 2000, and signed in authentication of it passage this 15th day of May, 2000.

(SEAL)

Chuck Mosher, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Patrice C. Cole, Assistant City Attorney

Attest:

Myrna L. Basich, City Clerk

Published May 19, 2000